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THE HAGUE FOR CWC DEL

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TAGS: [LY](#) [PARM](#) [PREL](#) [CWC](#) [OPCW](#)  
SUBJECT: CHEMICAL WEAPONS CONVENTION (CWC): TRANSPARENCY  
ON LIBYAN RABTA FACILITY CONVERSION AND DESTRUCTION  
FACILITY CONSTRUCTION

REF: A. 2009 THE HAGUE 000295 (MEETINGS ON THE MARGINS  
OF THE 56TH EXECUTIVE COUNCIL SESSION)  
[1](#)B. 2007 THE HAGUE 001851 (WRAP-UP FOR THE 50TH  
EXECUTIVE COUNCIL SESSION)  
[1](#)C. 2008 STATE 058476 (CONVERSION OF THE RABTA CWPFF)  
[1](#)D. 2008 TRIPOLI 000662 (JULY 28-30 RABTA PRODUCTION  
SITEVISIT)  
[1](#)E. 2009 STATE 038618 (GUIDANCE FOR THE 56TH  
EXECUTIVECOUNCIL SESSION)  
[1](#)F. 2009 THE HAGUE 000296 (EC-56 DONORS MEETING AND  
DESTRUCTION INFORMALS)  
[1](#)G. 2009 THE HAGUE 001021 (MEETINGS ON THE MARGINS  
OF CSP-13)  
[1](#)H. 2009 THE HAGUE 000143 (EC-55 DESTRUCTION  
INFORMALS)

[1](#)1. (U) This is an action request for the U.S. Delegation in  
The Hague and for Embassy Tripoli; see paragraphs 9 through  
[1](#)11.

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Background  
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[1](#)2. (U) There are two major tasks under the Chemical Weapons  
Convention (CWC) that Libya has yet to complete: conversion  
of the former Rabta Chemical Weapons Production Facility  
(CWPFF) for the production of pharmaceuticals, and destruction  
of the remaining stockpile of declared chemical weapons  
(approximately 25 MT of mustard agent and 860 MT of chemical  
agent precursor chemicals). Libya,s transparency on the  
status of both tasks has been an issue for some time. This  
cable addresses specific actions the United States should  
take to address these transparency issues as follow-up to  
meetings with the Libyan delegation during the April 2009  
56th Session of the CWC,s Executive Council (EC) (Ref. A).

-- Rabta Conversion --

[1](#)3. (U) The conversion of former Rabta CWPFF to the production  
of pharmaceuticals and the combined plan for its conversion  
and verification were approved in 2004. At that time the  
protective sandbag-covered wall that partially surrounds the  
facility was identified as a specialized structure and was  
scheduled for removal in the approved plan. A request to  
retain the wall was first tabled by Libya during the  
destruction informals and with U.S. and UK delegations on the  
margins of the 50th EC Session in September 2007 (Ref. B).  
Since then Libya has approached U.S., UK, and Technical  
Secretariat representatives requesting support for a  
correction to the approved Rabta conversion plan allowing for  
retention of the sandbag wall in order to provide protection  
for the operation of the pharmaceutical facility and exposed  
equipment from the extreme desert environment.

[1](#)4. (U) In 2008 the United States proposed transparency

measures and requested Libyan commitment to continue transparency with the EC before the United States could support retaining the wall (Ref. C). These transparency measures included a U.S. request that Libya provide more detailed information via a paper to the EC at the earliest possible date. Libya has yet to provide the paper, as such, but has addressed the details to varying degrees as part of its subsequent presentations during EC destruction informals.

¶5. (SBU) In 2008 U.S. and UK delegations visited the Rabta facility to observe the characteristics of the sandbag wall and the progress made in the conversion (Ref. D). Based on the U.S. delegation's 2008 visit to the Rabta facility, we agree that the Libyan assertion of the protective characteristics of the sandbag wall against sandstorms, etc., is legitimate. Further, we agree that the retention of the sandbag wall does not pose a threat to the object and purpose of the Convention (Ref. E).

¶6. (SBU) U.S. and UK delegations reengaged the Libyan representatives during the April 2009 Session of the EC in an attempt to resolve this open issue and improve the quality of information provided to the EC on the status of the conversion (Ref. A). U.S. and UK reps reiterated that both States Parties would support a correction to the combined plan that would allow retention of the wall provided that Libya: provides more detailed presentations at the EC

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destruction informals; provides sound justification for making the correction; and permits the U.S. and the UK to review the correction before submitting it to the Technical Secretariat. The Libyan delegation reacted positively to this proposal and to suggestions for expanding its interactions with other States Parties for additional transparency and support of its proposed plan correction.

-- CW Destruction --

¶7. (U) The deadline established by the CWC Conference of the States Parties for destruction of Libya's mustard stockpile is December 31, 2010. Destruction of the remaining inventory of precursor chemicals is to be completed no later than December 31, 2011. Libya is obligated to report to the Council on a 90-day cycle on its destruction activities and schedule. Libya continues to meet this reporting obligation through submission of the obligatory reports and presentations during the destruction informals, which have included some information on the status of destruction facility construction.

¶8. (U) Libya's plan is for its CW destruction facility to be located on two sites; the first is for repackaging of leaking containers within the current, remote storage site; and the second is the primary destruction facility (the Rabta Toxic Chemicals Destruction Facility (Rabta CWDF), where destruction will take place), to be located in the general vicinity of the Rabta plant undergoing conversion. Libya's recent reporting to the Council has focused on the repackaging operations, and has not included much information on the primary destruction facility, (e.g., Ref. F). December 2008 was the last time Libya provided specific information on the Rabta CWDF site (Ref. G). This lack of transparency on the status of the destruction preparation is of increasing concern, and is being addressed, along with the Rabta conversion sandbag wall issue, through a non-paper.

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ACTION REQUEST  
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¶9. (U) The Department requests that U.S. Delegation to the Organization for the Prohibition of Chemical Weapons (OPCW), and Embassy Tripoli, respectively, deliver the non-paper in

paragraph 11 to the appropriate Libyan representatives in The Hague and in Tripoli, making clear that the non-paper is being delivered in both places, and report the response. Both the U.S. Delegation to the OPCW and Embassy Tripoli should provide an info copy of the non-paper to their UK contacts and inform them of the dual delivery in The Hague and Tripoli.

¶10. (SBU) When delivering the non-paper, both the Delegation to the OPCW and Embassy Tripoli should emphasize the following strategic themes:

- The United States appreciates Libyan efforts to provide the Executive Council with current information on the status of the Rabta conversion and preparations for CW destruction.

- There are two related areas where there is need for greater transparency:

- resolution of the outstanding issue on retention of the sandbag wall as a part of the Rabta conversion; and
- the status of Libya,s preparation for CW destruction at the Rabta Toxic Chemicals Destruction Facility.

- Regarding retention of the sandbag wall:

- the United States agrees with the protective effect of the sandbag wall, and that its retention does not pose a threat to the object and purpose of the Convention;

- the United States is prepared to support Executive Council approval of retaining the sandbag wall if Libya commits to certain transparency measures; and

- we suggest that a working session be held in The Hague immediately preceding to the 57th Session of the Executive Council (EC-57) to review all aspects Libya's destruction informals presentation for the Session (e.g., Rabta conversion and destruction facility construction status) and, if available, to review a draft conversion plan correction request to allow the sandbag wall,s reteTsui-Ling Yus, as well as other States Parties, remains keenly interested in the progress made toward destruction of Libya,s CW stockpile;

- since CSP-13 (December 2008), there has been little information provided to the EC on the status of construction at the Rabta Toxic Chemicals Destruction Facility or the fabrication of destruction equipment being conducted elsewhere; and

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- thus, the United States requests that Libya provide States Parties with a clear update on its preparations for CW destruction and an update on its Rabta CWDF planning and construction status at each EC Session, including projected start-up dates during the informals prior to EC-57.

¶11. (SBU) Text of Non-Paper: Transparency on the Status of Libya,s Rabta Conversion and Preparations for Completing Chemical Weapons Destruction

The United States appreciates Libya,s continued effort to provide the Executive Council (EC) with current information on the status of the Rabta conversion and preparations for CW destruction.

There are two related areas, however, where the United States sees a need for greater transparency, and would like to address these through this non-paper:

- resolution of the outstanding issue on retention of the sandbag wall as a part of the Rabta conversion; and
- the status of Libya,s preparation for CW destruction at the Rabta Toxic Chemicals Destruction Facility.

- Retention of the Sandbag Wall --

Based on the U.S. delegation,s 2008 visit to the Rabta facility to observe the progress made in its conversion and the characteristics of the sandbag wall, the United States

agrees that Libya,s assertion of the protective characteristics of the wall against sandstorms, etc., is well-founded. Further, the United States agrees that the retention of the sandbag wall does not pose a clear threat to the object and purpose of the Convention.

For these reasons, the United States is prepared to support EC approval of a correction to the conversion plan allowing retention of the sandbag wall provided that the Government of Libya commits to the following:

- that a clear, complete, and legally sound justification of the requested revision of the approved plan be included as part of the correction request;
- that the United States and the UK are provided an opportunity to review and concur in the content of the draft correction request before it is submitted to the EC for consideration; and
- that Libya commit to provide the EC at each session, beginning with the 57th Session of the EC (EC-57) and until the Rabta conversion is complete, with a presentation at the informals in at least as much detail as its EC-53 presentation and meeting all four of the criteria defined by our May 2008 non-paper, which is attached for reference.

The United States suggests that a working session be held in The Hague immediately preceding EC-57 (e.g., July 9 and 10, 2009) to review all aspects of Libya's destruction informals presentation for the Session (e.g., Rabta conversion and destruction facility construction status) and, if available, to review a draft conversion plan correction request to allow the sandbag wall,s retention.

-- Progress on the Rabta Toxic Chemicals Destruction Facility--

The United States remains keenly interested in Libya,s progress toward destruction of its CW stockpile.

Since the December 2008 Conference of States Parties (CSP-13), when Dr. Hesnawy discussed the Libyan CW destruction planning with the U.S. Delegation, there has been little information provided on the status of infrastructure construction at the Rabta Toxic Chemical Destruction Facility or the equipment being produced by the Italian firm SIPSA.

During the informal consultations prior to EC-55 in February 2009, the Libyan delegation promised an update on CW destruction facility progress at the informals prior to EC-56. That update did not occur.

The United States, therefore, requests that Libya provide a detailed update on its Rabta Toxic Chemicals Destruction Facility planning and construction status, and projected start-up dates during the informals prior to EC-57.

-- General Considerations --

To be most effective, future Libyan presentations, both

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during the destruction informals and to the Council, should provide States Parties with sufficient detail to understand the progress that has been made toward completion of the Rabta conversion in December 2009, and construction of the Rabta Chemical Weapons Destruction Facility in time to meet established intermediate and final destruction deadlines, including:

- a clear, updated picture of what has been accomplished relative to the schedules already provided to the Council;

- specific information on any changes or unanticipated delays in planned activities and their impact, if any, on meeting the conversion and destruction deadlines;
- actions taken to overcome these problems;
- a summary of progress in the physical conversion of Rabta with respect to changes in existing facilities, and the addition and installation of new equipment; and
- a summary of progress made on Rabta Toxic Chemicals Destruction Facility infrastructure construction and the status of the equipment fabrication.

We suggest that the Libyan delegation continue consultations with other interested delegations to clarify the need for retaining the sandbag wall and to secure support for the correction to the conversion plan.

We also suggest that Libya provide representatives from key delegations on the EC and regional groups with an opportunity to visit the Rabta in order to see first hand the progress made on Rabta conversion and the need for retaining the sandbag wall, and the progress being made on construction of the Rabta Toxic Chemicals Destruction Facility.

End text of non-paper.

¶12. (U) The point-of-contact for this action is Tom Ferguson, ISN/CB, (202-647-9650, [fergusontl@state.sgov.gov](mailto:fergusontl@state.sgov.gov)).  
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